

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

WASHINGTON, D.C. 20503

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APR 1 1966

Honorable W. F. Raborn
Director
Central Intelligence Agency
Washington, D. C. 20505

Attention:
Legislative Counsel

Dear Mr. Raborn:

This is in response to your request for our advice on a draft of a bill, "To amend section 709 of title 18, United States Code, so as to protect the name of the Central Intelligence Agency from exploitation."

You are advised that there is no objection to the presentation of the draft bill to the Congress from the standpoint of the Administration's program.

Sincerely yours,

Nelfred H. Rommel

Acting Assistant Director for
Legislative Reference

17015 65-5626

Executive Registry
65-6976

30 NOV 1965

Honorable Charles L. Schultze
Director
Bureau of the Budget
Washington, D. C.

Dear Mr. Schultze:

In accordance with Bureau of the Budget Circular A-19, revised, there are enclosed four copies of a draft bill, "To amend section 709 of title 18, United States Code, so as to protect the name of the Central Intelligence Agency from exploitation." This bill is submitted for clearance by the Bureau of the Budget prior to submission to the Congress. Also enclosed are copies of the explanation and justification, together with proposed letters of transmittal to the President of the Senate and the Speaker of the House.

Advice is requested as to whether the Bureau of the Budget has objection to the submission of this bill.

Sincerely,

(signed) W. F. Raborn

W. F. Raborn
Director

Enclosures

Distribution:

Orig and 1 - Addressee

1 - DCI

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~~1~~ - ER

1 - D/Security

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OGC/LC/CEA:rm (22 Nov 65)

DPIS 65-5626

65-6977

5 APR 1966

Honorable John W. McCormack
Speaker of the House of
Representatives
Washington, D. C. 20515

Dear Mr. Speaker:

This letter transmits for the consideration of the Congress a proposed amendment to section 709 of title 18, United States Code, so as to protect the name and initials of the Central Intelligence Agency from exploitation.

We consider enactment of the proposed amendment essential to protect the public from misleading use of the name or initials of the Central Intelligence Agency and would appreciate early and favorable consideration. The Bureau of the Budget has advised that there is no objection to the presentation of the proposed amendment to the Congress from the standpoint of the Administration's program.

Sincerely,

((signed)) W. F. Raborn

W. F. Raborn
Director

Enclosures

Distribution:

Orig and 1 - Addressee
1 - DCI
1 - DDCI
1 - ER
1 - D/Security
1 - OGC/LC

65-6978

5 APR 1966

Honorable Hubert H. Humphrey
President of the Senate
Washington, D. C. 20510

Dear Mr. Humphrey:

This letter transmits for the consideration of the Congress a proposed amendment to section 709 of title 18, United States Code, so as to protect the name and initials of the Central Intelligence Agency from exploitation.

We consider enactment of the proposed amendment essential to protect the public from misleading use of the name or initials of the Central Intelligence Agency and would appreciate early and favorable consideration. The Bureau of the Budget has advised that there is no objection to the presentation of the proposed amendment to the Congress from the standpoint of the Administration's program.

Sincerely,

(signed) W. F. Raborn

W. F. Raborn
Director

Enclosures

Distribution:

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1 - ER
1 - D/Security
1 - OGC/LC

OGC/LC/CEA:rm (22 Nov 65)

JUSTIFICATION AND EXPLANATION

Purpose

The purpose of the bill is to prevent the exploitation of the name or initials of the Central Intelligence Agency in such a manner as to convey the impression that such use is approved, endorsed, or authorized by the Central Intelligence Agency.

Background Statement

Over the past several years, a number of commercial and nonprofit organizations have used the initials "C.I.A." in advertisements and other publications. Of foremost concern is the possibility that political organizations, formed to promote a point of view on current issues of great public interest, will adopt names which lend themselves to shortening to "C.I.A." and thereby lead the public to believe that their views are endorsed by the Central Intelligence Agency. A case in point is the Iowa City Consensus on International Affairs which, in 1962, was engaged in the dissemination of material calling for an end to United States Sponsorship of High Altitude Tests within the Context of the Arms Race." In the covering letter sent with this material the initials "C.I.A." were prominently displayed and

were also used in the text to refer to the organization. Although it has not been proved that this was a calculated attempt to trade on the initials "C.I.A.," the average reader could well have received the impression that there was some connection between this organization and the Central Intelligence Agency.

In the field of commercial and nonprofit organizations, there are many names which could be shortened to "C.I.A." One recently brought to the attention of the Central Intelligence Agency is the Central Investigation Agency of Austin, Texas, which was consistently referred to in a trade journal article as the "CIA." An older example is the California Intelligence Agency, which used the initials "CIA" prominently in its advertising.

Existing Legislation

Section 709 of title 18, United States Code, governs the use of names and initials of a number of Federal agencies, among which is the Federal Bureau of Investigation. The proposed bill extends the same protection to the name and initials of the Central Intelligence Agency as that provided certain other government agencies.

Justification

There are no existing laws prohibiting the misleading use of the

name or initials of the Central Intelligence Agency. In 1957, the California Intelligence Agency was created, and used the initials "CIA" prominently in its advertising. Among other things, this investigative agency proposed to undertake industrial security surveys and personnel audits. Because of the inherent potential in these areas for misleading the public into believing there was a connection between the California Intelligence Agency and the Central Intelligence Agency, opinions were sought from the Department of Justice and the Federal Trade Commission on what action could be taken to prevent this usage of the initials "CIA;" both advised that there was no remedy under existing legislation. A similar opinion was received from the Assistant United States Attorney in San Antonio, Texas, with regard to the case of Central Investigation Agency. In the case of the Iowa City Consensus on International Affairs, no action was undertaken in view of the opinions previously received with regard to the California Intelligence Agency. The proposed bill provides a remedy in cases of this kind if it is found that the use is intended to be misleading.

Cost

The proposed bill will not entail additional expenditures of funds or manpower.

A BILL

To amend section 799 of title 18, United States Code, so as to protect the name of the Central Intelligence Agency from exploitation.

1 Be it enacted by the Senate and House of Representatives of
2 the United States of America in Congress assembled, That section 799
3 of title 18, United States Code, is amended by inserting immediately
4 after the ninth paragraph thereof a new paragraph as follows:

5 Whoever, except with the written permission of the Director
6 of Central Intelligence, knowingly uses the words 'Central Intelligence
7 Agency' or the initials 'C.I.A.' or any colorable imitation of such
8 words or initials, in connection with any advertisement, circular,
9 book, pamphlet or other publication, play, motion picture, broadcast,
10 telecast, or other production, in a manner reasonably calculated to
11 convey the impression that such advertisement, circular, book,
12 pamphlet or other publication, play, motion picture, broadcast,
13 telecast, or other production, is approved, endorsed, or authorized
14 by the Central Intelligence Agency; or"

DDIS 65-5625

Executive Registry
65-6976/1

MEMORANDUM FOR: Director of Central Intelligence

**SUBJECT: Proposed Legislation to Prevent the
Exploitation of the Name or Initials
of the Central Intelligence Agency**

1. This memorandum contains a recommendation for action by the Director of Central Intelligence. Such recommendation is contained in paragraph 4.

2. Over the past several years, a number of commercial and nonprofit organizations have used the initials "C.I.A." in advertisements and other publications. The latest example of this use is by the Central Investigation Agency of Austin, Texas. The embarrassment to this Agency from such use and the possible frauds which might be perpetrated are obvious.

3. Present law does not specifically prohibit the above use. The Federal statutes do prohibit the use of the names and initials of a number of other Federal agencies, foremost among whom are the Federal Bureau of Investigation and the Federal Housing Administration.

4. I believe it is appropriate for the Agency to request specific legislation of this type, and therefore recommend that you sign the attached letter to the Bureau of the Budget requesting approval of the introduction of an amendment to existing statutes to accomplish this and the transmittal letters to the President of the Senate and the Speaker of the House.



Legislative Counsel

25X1

signed

CONCUR: 
Acting Director of Security

24 NOV 1965
Date

Distribution:

Orig - OGC/LC

~~1 - DDCI~~
1 - DDCI

1 - ER

1 - D/Security

25X1

DDCI <i>has noted this</i>
MEMORANDUM FOR: DCI <i>29 Nov</i>
<p>Attached for DCI signature are letters to the Director of the Bureau of the Budget, the President of the Senate, and the Speaker of the House, attaching copies of a proposed amendment to Section 709 of title 18, U. S. Code. This amendment would protect the name of the Central Intelligence Agency from exploitation.</p> <p>Recommend <u>three</u> signatures.</p>
<div style="text-align: right;"><div style="border: 1px solid black; width: 150px; height: 40px; margin: 0 auto;"></div><div style="text-align: center;">L. K. White <hr style="width: 100px; margin: 0 auto;"/><div style="text-align: center;">(DATE) 29 NOV 1965</div></div></div>

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FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

(47)

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UNCLASSIFIED		CONFIDENTIAL		SECRET	
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS		DATE	INITIALS	
1	Legislative Counsel				
2					
3					
4					
5					
6					
ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	
Remarks: For appropriate action. A copy has been sent to the Director of Security for information.					
FOLD HERE TO RETURN TO SENDER					
FROM: NAME, ADDRESS AND PHONE NO.				DATE	
O/Executive Director				4 Apr 66	
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